

**Washington State Judicial Branch
2022 Supplemental Budget
Decision Package**

Agency: Administrative Office of the Courts

Decision Package Title: Increase Access to Justice with E-Filing

Budget Period: 2022 Supplemental Budget

Budget Level: Policy Level

Agency Recommendation Summary Text:

The Administrative Office of the Courts, in collaboration with District and Municipal Courts, requests \$2.8M per year to provide electronic filing (eFiling) in district and municipal courts as part of the new Courts of Limited Jurisdiction Case Management System (CLJ-CMS). This funding will facilitate widespread adoption of this new technology, leading to more consistent and barrier-free access to safe and efficient remote services for victims and others persons seeking justice in the courts.

Summary:

Operating Expenditures	FY 2022	FY 2023	FY 2024	FY 2025
001-1	\$0	\$2,800,000	\$2,800,000	\$2,800,000
Total Cost	\$0	\$2,800,000	\$2,800,000	\$2,800,000
Staffing	FY 2022	FY 2023	FY 2024	FY 2025
FTEs	0.0	0.0	0.0	0.0
Object of Expenditure	FY 2022	FY 2023	FY 2024	FY 2025
Contracts	\$0	\$2,800,000	\$2,800,000	\$2,800,000
Total	\$0	\$2,800,000	\$2,800,000	\$2,800,000

Package Description:

Sometimes referred to as the “People’s Courts,” District and Municipal Courts are by far the state’s highest volume courts. Filings in District and Municipal Courts average about 1,500,000 per year. These cases include Petitions for Domestic Violence Protection Orders, criminal matters such as DUI and Domestic Violence assaults, traffic infractions, small claims cases, and civil lawsuits.

Most Washington district and municipal courts still rely on a largely paper-based process. Documents must be hand-delivered during standard court business hours and then manually processed by court personnel. This is inconvenient and expensive for the public and inefficient for the courts.

eFiling can ease these burdens substantially. eFiling requires nothing to be printed, physically stored, or transported to the courthouse. Electronic documents can be

prepared and filed remotely from anywhere and at any time, making justice more accessible particularly for victims and working people.

eFiling is a critical component of a modern court system. It provides better service to the public, greater efficiency in our courts, and supports the ability to continue conducting essential court business remotely during emergencies such as a pandemic.

Although funding has been appropriated for the new case management system and the first statewide integrated probation management system, no funding has yet been appropriated to support eFiling.

The Judicial Information System Committee (RCW 2.68) selected the nation's premier vendor, Tyler Technologies, to provide the new case management system and probation system, and an eFiling solution that is fully integrated with the new case management system. This unique integration provides a user-friendly web-based service for the public and automated processing functions that improve operational efficiencies for the courts. The service also provides the ability for parties to electronically serve documents, providing additional convenience and reducing the cost of litigation.

The cost to provide eFiling, electronic service, customer support and maintenance of the secure service the CLJ-CMS project courts is \$2.8M per year.

Providing the ability to easily and without added cost file documents electronically will save transportation, parking and courier costs for litigants, free up space in courthouses and warehouses, and free up time for court personnel to process cases more efficiently. It will also encourage the widespread adoption of eFiling among courts of limited jurisdiction which will provide more consistent access to justice for victims and other litigants while promoting a more effective court system.

Current Level of Effort: If the proposal is an expansion or alteration of a current program or service, provide information on the current level of resources devoted to the program or service.

This is a new system – there is no current level of effort around e-filing.

Decision Package expenditure, FTE and revenue assumptions, calculations and details:

The estimated costs are based on a quote provided by the system vendor to implement e-filing statewide.

Decision Package Justification and Impacts

How does this package contribute to the Judicial Branch Principal Policy Objectives identified below?

Fair and Effective Administration of Justice.

The fair and effective administration of justice begins with efficient and accessible filing methods that are easy to use for all parties. Electronic filing does just that. Utilizing eFiling, parties do not have to find means of travel to courthouses or print centers. They can file simply and easily from any computer, reducing their carbon footprint and making

the administration of justice more effective. This funding will help ensure that eFiling is available to all filers in these courts without financial barriers.

Accessibility.

Electronic filing is an essential component of accessibility. It levels the playing field for those without means of transportation to courthouses and print centers. It makes justice accessible to all, and the system is accessible on any web-based device. By providing the service to all, the state will remove an unnecessary roadblock to filing for individuals that may not meet the technical definition of indigent, but who otherwise cannot afford the filing fees that accompany typical cases. Additionally, by removing this roadblock, we can encourage the widespread adoption of eFiling in the courts.

Access to Necessary Representation.

N/A.

Commitment to Effective Court Management.

Electronic filing is a model of effective court management. It frees up clerks and court staff from having to scan large stacks of paper; it frees up space to store all that paper; it makes notification of all parties in a case easier. By using the integrated eFiling solution adopted by the JISC, courts will benefit from enhanced automated functions that reduce manual work and data entry errors.

Sufficient Staffing and Support.

N/A.

What is the impact on other state agencies?

N/A.

What is the impact to the Capital Budget?

N/A.

Is change required to existing statutes, Court rules or contracts?

N/A.

Is the request related to or a result of litigation?

N/A.

What alternatives were explored by the agency and why was this option chosen?

One alternative would be to pay for the service by charging system users for the service. Users would pay a fee of approximately \$5 fee each time they file. Exceptions could be granted for persons who are indigent, but this would require the person to complete a waiver request and the court to make a determination of indigency. This process may present a barrier to people seeking to access the justice system and discourage widespread adoption of eFiling by the public or the courts.

What are the consequences of not funding this request?

By not funding this request, the costs of electronic filing will be passed on to non-governmental entities in cases before district and municipal courts. Individuals that file or are responding to small claims filings will see an increase in fees. Individuals that want to contest their parking ticket or traffic violation will see an increase in fees. Many courts may not adopt e-filing as a rule in order to prevent these fees, and will leave the paper-based filing systems in place, requiring Washingtonians to continue to expend their time and resources in order to transport documents to a court.

Information technology: Does this Decision Package include funding for any IT-related costs, including hardware, software, services (including cloud-based services), contracts or IT staff?

☐ No

☒ Yes